

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MAXIMILLIAN LEDWITH,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

ORDER

Case No. 17-cv-894-wmc

Having been fully apprised that the Attorney General's designee has certified the individual defendant, Joh Wiederholt, DDS ("Dr. Widerholt"), and his employer, defendant Madison Community Health Center, Inc. d/b/a Access Community Health Centers, were acting within the scope of their employment as employee and agent of the United States, respectively, at the time of the incident giving rise to this suit; having been apprised of the proposed substitution of the United States pursuant to the Federally Supported Health Centers Act of 1992 (Pub. L. 102-501) and 42 U.S.C. § 233(a)-(c), and the Federal Employees Liability Reform and Tort Compensation Act of 1988 § 6 (Pub. L. 100-694, 102 Stat. 4563) and 28 U.S.C. § 2679(d)(2); and having received no objection from plaintiff,

ORDER

IT IS ORDERED, consistent with the provisions of 28 U.S.C. § 2679(b) and § 2679(d)(2), that:

1. The United States is added as a defendant to the claims set forth in the complaint;

2. Those claims are DISMISSED with respect to both of the originally named defendants on the ground that the exclusive remedy for these claims is an action against the United States; and
3. The caption of this case shall be amended to reflect the substitution of the United States as the sole defendant.

Entered this 25th day of July, 2018.

BY THE COURT:

/s/

WILLIAM M. CONLEY

District Judge